

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

BRIAN PATRICK HARGISS)	CIVIL ACTION NO. 3:18-CV-01466
)	
VERSUS)	JUDGE TERRY A. DOUGHTY
)	
LASALLE CORRECTIONS, ET AL.)	MAG. JUDGE KAYLA D. MCCLUSKY

MOTION FOR NEW TRIAL OR, ALTERNATIVELY, REMITTITUR

NOW INTO COURT, through undersigned counsel, come Defendants, Gary Gilley, Sheriff of Richland Parish, Leighton Linder, and Darius Williams, who, pursuant to Federal Rule of Civil Procedure 59(a)(1)(A), file the instant Motion for New Trial. For the reasons more fully detailed in the accompanying Memorandum in Support, Defendants submit that the jury erred in rendering its verdict in several crucial respects and that the jury's verdict was against the great weight of the evidence presented at trial. As such, a new trial in this matter is both warranted and necessary.

Alternatively, and only in the event Defendants' request for a new trial is denied, it is further submitted that a reduction of the monetary damages awarded to Plaintiff by the jury is appropriate in this action through remittitur, pursuant to Federal Rule of Civil Procedure 59(e). The jury's monetary award to Plaintiff was grossly excessive in several respects and lacked the necessary evidentiary support to support said monetary award.

WHEREFORE, Defendants submit that, premises considered, Defendants' Motion for New Trial pursuant to Federal Rule of Civil Procedure 59(a)(1)(A) should be granted. In the alternative, it is also submitted that the monetary damages awarded to the Plaintiff by the jury during the trial in this matter were excessive and lacked the necessary evidentiary support to

sustain such a verdict. As such, Plaintiff should be subject to a reduction in the monetary damages the jury awarded him.

Respectfully submitted,

FROSCH RODRIGUE ARCURI, LLC

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CERTIFICATE OF SERVICE

I certify that on the 10th day of November, 2021, I have filed this pleading with the CM/ECF system and have served any non-participants by U.S. Mail.

/s/ Jason P. Wixom